

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and applicants request that the application be favorably reconsidered in view of the remarks made herein.

Claims 1 and 6 were rejected under 35 U.S.C. 102(a) as being anticipated by Yoshida et al. (JP Patent 11-312285, Machine Translation). Traversal of this rejection is made for at least the following reasons. Yoshida et al. does not disclose an on-vehicle terminal main unit and a mobile terminal detachable from said on-vehicle terminal main unit, as recited in independent claim 1. The Examiner relies on hand set 36 of Yoshida as being equivalent to the claimed mobile terminal. However, there is nothing in Yoshida that discloses the hand set 36 being detachable from an on-vehicle terminal main unit.

Moreover, claim 1 requires that the on-vehicle terminal main unit and the mobile terminal can communicate with each other via second radio communication means. The Examiner relies on the 2nd radio-transmission means 35 of Yoshida as being equivalent to the claimed second radio communications means. Yoshida discloses that the hand set 36 communicates with a cellular phone unit 32 via the 2nd radio-transmission means 35. Thus, it follows that the Examiner considers the cellular phone unit 32 as being equivalent to the claimed on-vehicle terminal main unit. However, there is nothing in Yoshida which discloses that the hand set 36 is detachable from the cellular phone unit 32.

Because Yoshida does not disclose each and every limitation set forth in claim 1, Yoshida does not anticipate claim 1 or claims 2-6, which depend therefrom. Withdrawal of this rejection is respectfully requested.

Claims 2-5 and 7-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. (JP Patent 11-312285, Machine Translation) in view of Tognazzini (US Patent No. 5,914,675). Traversal of this rejection is made for at least the following reasons. Claims 2-5 depend from claim 1, which is believed to be allowable over Yoshida for the reasons discussed above. Tognazzini does not make up for the aforementioned deficiencies of Yoshida. Accordingly, the combination of Yoshida and

Tognazzini does not make obvious claim 1, or claims 2-5, which depend therefrom.

Further, regarding claims 3 and 4, the Examiner contends that Yoshida does not disclose the mobile terminal including a function of the state sensor means; and thus, relies on Tognazzini in an attempt to make up for the deficiencies of Yoshida. However, Tognazzini does not disclose, teach, or suggest that the portable locator device 10 include a function of the state sensor means. Rather, Tognazzini clearly shows that the crash sensor 50 is located in the vehicle and is not part of the portable locator device 10. See Figure 1 and col. 5, lines 39-45 of Tognazzini. Thus, neither Yoshida nor Tognazzini, alone or in combination, teach or suggest a mobile terminal including a function of the state sensor means, as required by claims 3 and 4.

Regarding claim 5, the Examiner contends that Yoshida does not disclose means for detecting a relative distance between said on-vehicle terminal main unit and said mobile terminal, wherein said means switches a main system for communications of said on-vehicle communication system. The Examiner relies on Tognazzini in an attempt to make up for the deficiencies of Yoshida. However, Tognazzini merely discloses a GPS system within the portable locator device 10 to determine a location of the portable locator device 10 (col. 4, lines 54-55). Detecting a relative distance between an on-vehicle terminal main unit and the portable locator device 10 is absent from Tognazzini. Thus, Tognazzini does not make up for the deficiencies of Yoshida.

Further, regarding claims 7-10, neither Yoshida nor Tognazzini, alone or in combination, teach or suggest an on-vehicle terminal main unit and a mobile terminal detachable from said on-vehicle terminal main unit, as recited in independent claim 7. As discussed above, Yoshida merely discloses a cellular phone unit 32 and a hand set 36 that communicate with each other via a second radio-transmission means 35. Yoshida does not disclose, teach, or suggest that the hand set 36 is detachable from the cellular phone unit 32. Tognazzini is merely directed to a portable emergency locator device; and does not include any teaching or suggestion of an on-vehicle terminal main unit to which the portable emergency locator device is detachable.

Appl. No. 09/889,086
Amdt. Dated July 14, 2004
Reply to Office action of April 15, 2004

Because neither Yoshida nor Tognazzini, alone or in combination, teach or suggest each and every element set forth in claims 2-5 and 7-10, the combination of Yoshida and Tognazzini does not make obvious such claims. Accordingly, withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33791.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Una L. Schumacher, Reg. No. 48998

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: July 14, 2004